

Application No.: 10/673,196

Docket No.: 713-937

REMARKS

Applicants appreciate the Examiner's thorough review of the present application, and respectfully request reconsideration in light of the preceding amendments and the following remarks.

Claims 13-28, 31 and 33-35 are pending in the application. Claims 29-30 and 32 have been cancelled without prejudice or disclaimer. Claim 23 has been rewritten in independent form and revised to improve claim language. Independent claim 13 has been amended to better define the claimed invention. Other claims have been amended as necessary to reflect the amended language of claims 13 and 23. New claims 33-35 have been added to provide Applicants with the scope of protection to which they are believed entitled. The amended/added claims find solid support in the original application, especially FIGs. 2 and 5. No new matter has been introduced through the foregoing amendments.

The Examiner's anticipatory rejections of independent claim 13 are traversed, at least because the primary references of *Ferris* (U.S. Patent No. 4,865,501) and *Smith '461* (U.S. Patent No. 4,657,461) do not fairly teach or disclose the claimed head. The Examiner's anticipatory and obviousness rejections relying on *Smith '461* are also contradictory, because it is unclear whether the Examiner holds *Smith '461* to teach a head or not. See the Final Office Action, at page 4, the first full paragraph, line 3. The Examiner's obviousness rejections of claims 21 and 23 are also erroneous for the reasons advanced below.

Notwithstanding the above, Applicants have amended the claims to further define the claimed invention over the art. It should be noted that the above amendments have been made solely for the purpose of expediting prosecution and are not necessitated by the Examiner's rejections.

Amended independent claim 13 now recites, among other things, a locking element

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comprising a first section being elastically deformable and having a proximal end joined to said stem at a first location, and a distal end, wherein said locking element further has, between the folded and locked positions, a relaxed position in which said first section extends obliquely upwardly towards said head; and a second section having a proximal end and a distal end and a middle portion therebetween, said second section being joined to the distal end of said first section at said middle portion, wherein, in the relaxed position, said second section extends obliquely downwardly away from said head; and wherein said stem further comprises, at a second location closer to said head than said first location, a flange facing, in an axial direction of said stem, towards said head, said flange defining a blocking surface on which a lower surface of the proximal end of said second section rests in the locked position.

The applied references do not fairly teach or suggest, at least, the above highlighted claim limitations. With respect to the former, none of the applied references teach or suggest a locking element having first and second sections wherein the distal end of the first section is joined to a middle portion of the second section as presently claimed. See, e.g., FIG. 5 of the instant application at 17, 18; *Ferris* at 13, 19 in FIG. 1; *Smith '461* at 28, 30 in FIG. 1; and *Freeman* at 23 in FIGs. 1-3. With respect to the latter, the Examiner's reliance on *Freeman* for a similar limitation in claim 23 is noted. However, as can be seen in FIG. 3 of *Freeman*, element 21 does not provide any blocking surface on which a lower surface of element 23 rests in the locked position.

Accordingly, Applicant respectfully submits that amended claim 13 is patentable over the applied art of record.

Claims 14-22, 26-28, 31 and 33-35 depend from claim 13, and are considered patentable at least for the reason advanced with respect to amended claim 13. At least claims 21 and 35 are also patentable on their own merits since these claims recite other features of the invention neither disclosed, taught nor suggested by the applied art.

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As to claim 21, the applied references, especially *Schimmels*, clearly fail to teach or suggest a return foot extending from said stem, at a second location further from said head than said first location, towards said head, as presently claimed. As can be seen in FIG. 1 of *Schimmels*, "return foot" 62 extends from "stem" 28 away from head 46/14.

As to claim 35, the applied references, especially *Smith '461*, clearly fail to teach or suggest that the underside of said head and said flange are connected by a radially inwardly curved outer surface of said stem, said radially inwardly curved outer surface defining a cavity into which the proximal end of said second section is partially received in the locked position. See, e.g., FIG. 1 of *Smith '461*.

Independent claim 23 includes a limitation similar to the last limitation of amended claim 13 being argued above, and is believed patentable over the art for at least the same reason advanced with respect to that limitation of amended claim 13. Claims 24-25 depend from claim 23, and are considered patentable at least for the reason advanced with respect to amended claim 23.

Each of the Examiner's rejections has been traversed. Accordingly, Applicants respectfully submit that all claims are now in condition for allowance. Early and favorable indication of allowance is courteously solicited.

The Examiner is invited to telephone the undersigned, Applicant's attorney of record, to facilitate advancement of the present application.

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To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

**LOWE HAUPTMAN & BERNER, LLP**

  
Benjamin J. Hauptman  
Registration No. 29,310

USPTO Customer No. 22429  
1700 Diagonal Road, Suite 310  
Alexandria, VA 22314  
(703) 684-1111 BJH/KL/klb  
(703) 518-5499 Facsimile  
Date: August 25, 2005

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